

REMARKS

A modified restriction requirement was provided in this case in the Office Action dated June 6, 2006, dividing the invention as follows:

Group I: Q¹-Q⁴, X¹ and X³ are each carbon (same as pending restriction requirement)

Group II: one or more of Q¹-Q⁴ is nitrogen, and X² and X³ are both carbon

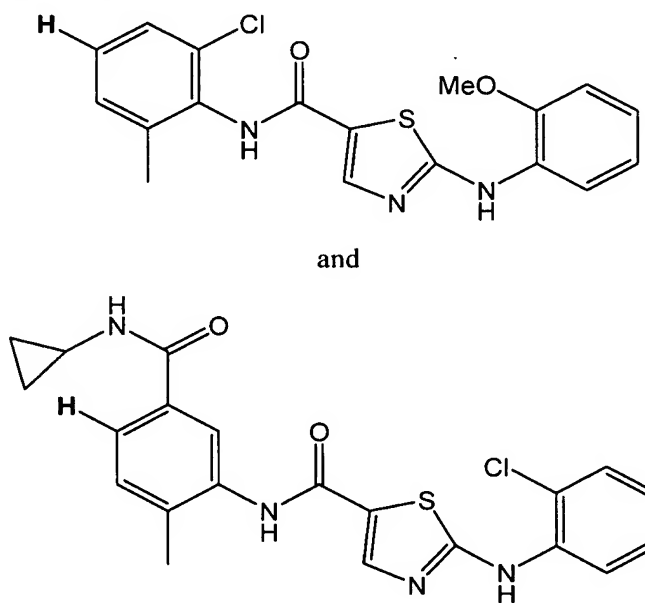
Group III: Q¹-Q⁴ are each carbon, and one or two of X² and X³ are nitrogen

Group IV: one or more of Q¹-Q⁴ is nitrogen, and one or two of X² and X³ are nitrogen

There appears to be a typo in Group I, requiring X¹ to be carbon. X¹ should be X², in line with the other restriction groups, as X¹ is never carbon in this invention. Assuming that this is a typo and X² was meant, the Applicants confirm election of Group I, without traverse with example 71 as a representative species.

35 U.S.C. § 102(e)

Claims 1, 6, 9, 14 and 17 stand rejected as being anticipated by Compound 559 of U.S. Pat. No. 6,596,746 and compound 33 of U.S. Pat. Publication 2004-0220233. Examples 559 and 33 have the following structures, respectively:



Applicants respectfully point out that the definition of R⁴ in the pending claims does not allow R⁴ to be hydrogen. Both the cited examples have hydrogen in this position. Additionally, compound 33 contains a cyclopropyl amide that is not within the claimed definitions of R⁸ or R⁹. Accordingly, the cited art does not anticipate the pending claims. Applicants respectfully request that the anticipation rejections be withdrawn.

35 U.S.C. § 103(a)

Claims 1, 6-10 and 14-20 stand rejected as being obvious in light of U.S. Pat. No. 6,596,746. The Office Action basis the obviousness rejection on the assertion that Das generically discloses the instant claimed compounds with an exemplified species anticipating the base claims. As pointed out above, the species cited from Das is not within the scope of the pending claims. Additionally, there is not teaching in Das that the claimed R⁴ group (in the para position) should be non-hydrogen. Because the molecular target is different and there is no teaching of the R⁴ groups as claimed, the present claims cannot be obvious in light of Das. Applicants respectfully request that the obviousness rejections be withdrawn.

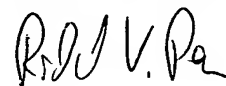
Claims 1, 6-10 and 14-20 stand rejected as being obvious in light of U.S. Pat. Publication 2004-0220233. Hynes only discloses one example within the scope of the present application and relates to activity at a completely different receptor target. Because the molecular target is different and there is no teaching of the R⁴ groups as claimed, the present claims cannot be obvious in light of Hynes. Additionally, Hynes teaches and requires that group -Y-B be an amide attached in the meta or para position. In the current claims none of R4 (para), R8 and R9 (both meta) can be an amide or reverse amide. Accordingly, Hynes teaches away from the claimed compounds. Applicants respectfully request that the obviousness rejections be withdrawn.

Applicants' attorney sincerely and respectfully requests that the Examiner consider a telephone (805 447-3299) or personal interview to resolve any outstanding issues deemed appropriate by the Examiner.

Please send all future correspondence to:

US Patent Operations/ RVP
Dept. 4300, M/S 28-2-C
AMGEN INC.
One Amgen Center Drive
Thousand Oaks, California 91320-1799

Respectfully submitted,



Richard V. Person
Attorney/Agent for Applicant(s)
Registration No.: 42,991
Phone: (805) 447-3299
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